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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/770,901 | 01/26/2001 | Joaquina Faour | PHUS-28 | 7749 |

24039 7590 12/18/2002

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EXAMINER

JIANG, SHAOJIA A

ART UNIT PAPER NUMBER

1617

DATE MAILED: 12/18/2002

Lo

Please find below and/or attached an Office communication concerning this application or proceeding.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 23, 2002 has been entered.

Notice of Non-Responsive Amendment

Applicant's amendment in response filed September 23, 2002 in Paper No. 17 is non-responsive for the following reasons:

It is unclear if Applicant intended to amend the instant specification at page 3 and 7 since there is no amendment filed with this response (September 23, 2002) but only "Remarks" in which there is no mention in amending claims or specification, i.e., "All claims remain the same" and "No claims have been amended" stated in the 1st paragraph under the title "REMARKS". Therefore, Applicant's amendment in the response is not proper according to 37 CFR 1.121, the Manner of making amendments in application. See MPEP 714.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Art Unit: 1617

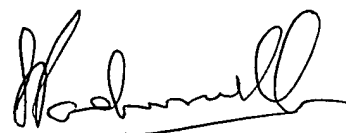
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Jiang, whose telephone number is (703) 305-1008. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreenivasan Padmanabhan, Ph.D., can be reached on (703) 305-1877.

The fax phone number for the organization where this application or proceeding is assigned is (703) 308-4556.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1235.

Shaojia A. Jiang, Ph.D.
Patent Examiner, AU 1617
December 16, 2002



SREENI PADMANABHAN
PRIMARY EXAMINER

12/16/02